

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

SUITS – Land Acquisition –PJP –GADWAL -Mahabubnagar District – Narva (Mandal) – Mittanandimalla (V) – O.P.No.79/2004 – Sanction of decretal charges of Rs.7,74,530/- - Orders – Issued.

IRRIGATION & CAD (PW.LA.III.A2) DEPARTMENT

G.O.RT.NO. 239

DATE:03 .04.2009

Read:

From the Spl.CS to Govt & CCLA, AP, Hyd.Lr. No.SRP4/1199/2008,
Dt:06.01.09 alongwith the letter of Spl.Collector, Bheema Project, MBNR.

O R D E R:

The Special Chief Secretary to Government and Chief Commissioner of Land Administration, Andhra Pradesh, Hyderabad has informed that the Special Collector, LA, Bheema Project, Mahabubnagar District has submitted the proposals for sanction of final payment of decretal charges in respect of O.P.No.79/2004 pertaining to Mittanandimalla (V) Narva (M) of Mahabubnagar District. The then Special Dy.Collector, LA, PJP, Gadwal had acquired the land to an extent of Acs.1-26 gts of Mittanandimalla (V) Narva (M) for formation of Link Road from Kistampally to Mittanandimalla by fixing the market value @Rs.36,000/- for Cat-I Wet and @Rs.30,000/- for Cat-II Dry vide Awarded No.5/2000, dt:05.08.2000. The awardees have filed their petitions U/s.18 of the L.A.Act. The said petition were referred to the Court of Sr.Civil Judge, Gadwal for adjudication. The Sr.Civil Judge, Narayanpet has enhanced the market value fixed by the LAO from Rs.36,000/- and Rs.30,000/- to @Rs.2,00,000/- per acre. The Asst.Govt.Pleader has opined that the Sr.Civil Judge, Gadwal has enhanced the market value abnormally and it is fit case for appeal and also advised to stay in this case. Hence, the SDC, LA, Unit, PJP, Gadwal has filed appeal in the Hon'ble High Court of A.P, Hyderabad on 06.02.2008. The Hon'ble H.C of A.P, Hyderabad has informed that the said appeal had come up before the Hon'ble Court on 17.06.2008 and the Hon'ble Court was pleased to dismiss the same as it is covered by judgment of the Hon'ble Court in L.A.A.S.No.115/2006 and batch dt:04.12.2006.

2) After careful examination of the matter, Government hereby accord sanction for an amount of **Rs.7,74,530/- (Rupees Seven lakhs seventy four thousand five hundred and thirty only)** in respect of O.P.No.79/2004 pertaining to Mittanandimalla (V) Narva (M) of Mahabubnagar District subject to verification whether the reference under section.18 (1) of the L.A.Act is made to the Lower Court after following all the guidelines/directions on the subject and in case it is detected that Sec.18 reference was made contrary to the rules/guidelines issued by the Govt/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the Chief Engineer as to the extent of land acquired. Further, the Special Collector should verify the calculations made by the Land Acquisition Officer once again thoroughly with reference to the decree and instructions issued by the Government/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad on the subject from time to time duly deducting the Income Tax as per rules before depositing the amount in Lower court.

(PTO)

3) The expenditure sanctioned in para (2) above shall be debitable to following Head of Account under "4701- SMJH – 01- Major Irrigation – M.H.122 – Jurala Project G.H.11 – NSP – SH (26) – Dams and Appurtenant works - 530 Major Works 532 - Lands (charged). In case, the available budget provision is not sufficient to meet the present requirement, the expenditure shall be met initially by way of advance from contingency fund subject to surrendering an equal amount from voted grant.

4) This order issues with the concurrence of Finance (Works&Projects) Department vide their U.O. No.1080/F2(2)/2009-1, dated 26.03.2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITYA NATH DAS
SECRETARY TO GOVERNMENT

To
The Spl. Chief Secretary to Government & CCLA, A.P., Hyderabad.
The Special Collector, LA, Bheema Project, Mahabubnagar.
The Engineer-in-Chief, I&CAD, Erramanzil, Hyderabad.
The SDC, LA, PJP, Gadwal, Mahabubnagar.
The Director of Works Accounts, Hyderabad.
Copy to: P.S. to Minister (M& MI).
Finance (W&P) Department/File C.No.3501/LA.III(A2)/2009
SF/SCs.

//FORWARDED::BY ORDER//

SECTION OFFICER